

**FAEGRE & BENSON LLP**

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Date: October 4, 2004**Time:** 3:02 p.m. (Minneapolis)**Number of pages (including this page):** 11 **F&B File No.:** 75540-305884 **Rec.:** 927**From:** Robert B. Leonard**Telephone Number:** 612/766-8578**To:** Mail Stop Missing Parts
US Patent and Trademark Office**Fax No.:** 703-746-4060**Inventors:** PETER ROBERT AB TZ et al.**Examiner:****Appln. No.:** 10/776,331**Group Art Unit:** 3643**Filing Date:** February 12, 2004**Title:** SEEDBED FOR GROWING
VEGETATION**Docket No.:** 75540-305884

Attached for filing in the above-referenced patent application are the following:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Combined Declaration and Power of Attorney for Utility or Design Patent Application (37 CFR 1.63) (3 pages);
3. Request for Extension of Time (1 page);
4. Fee Calculation Sheet (1 page);
5. Credit Card Payment Form (1 page)

If you do not receive all pages, please call the Fax Center at 612/766-1650 or Theresa Belland at 612/766-6925.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Inventor(s):** PETER ROBERT ABITZ et al.**Appln. No.:** 10/776,331**Filing Date:** February 12, 2004**Title:** SEEDBED FOR GROWING
VEGETATION**Examiner:****Group Art Unit:** 3643**Docket No.** 75540-305884**Mail Stop Missing Parts**I CERTIFY THAT, ON OCTOBER 4, 2004, THIS PAPER IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT

PTO/SB/17 (10-03) (F&B 04/04)

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,962

Complete if Known

Application Number	10/776,331
Filing Date	February 12, 2004
First Named Inventor	Peter Robert Abitz et al.
Examiner Name	
Art Unit	3643
Attorney Docket No.	75540 - 305884

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 06-0029

Deposit Account Name Faegre & Benson LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	790
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)790

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 54 -20 = 34 x 18 = 612

Independent Claims 3 -3 = 0 x 88 = 0

Multiple Dependent x 300 = 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)612

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	430
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)560

SUBMITTED BY

Name (Print/Type)	Robert B. Leonard	Registration No. (Attorney/Agent)	33,946	Telephone	612/766-8578
Signature	<i>[Signature]</i>	Date	October 4, 2004		

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): PETER ROBERT ABITZ et al.	Examiner:
Appln. No.: 10/776,331	Group Art Unit: 3643
Filing Date: February 12, 2004	
Title: SEEDBED FOR GROWING VEGETATION	Docket No. 75540-305884

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT, ON OCTOBER 4, 2004, THIS PAPER IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, OR FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE AT 703-746-4060.


Theresa Belland

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b), Filing Date Cranted, mailed June 16, 2004, Applicant has enclosed herewith the following documents to complete the above-identified application filed February 12, 2004:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Combined Declaration and Power of Attorney for Utility or Design Patent Application (37 CFR 1.63) (3 pages);
3. Request for Extension of Time (1 page);
4. Fee Calculation Sheet (1 page);
5. Credit Card Payment Form authorizing payment in the amount of \$1,962 (\$790 filing fee, \$612 additional claim fee, \$130 surcharge fee, and \$430 extension of time fee).

Application No. 10/776,331
Response to Notice to File Missing Parts of Application
Page 2

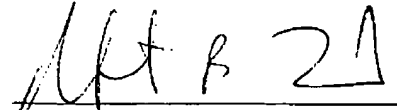
If the amounts submitted herewith are incorrect, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and notify us of the same.

Respectfully Submitted,

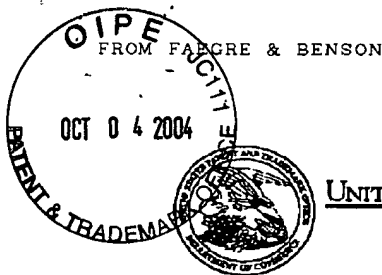
PETER ROBERT ABITZ et al.

Dated: October 4, 2004

By:


Robert B. Leonard, #33,946
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-8578

M2:20660599.01



UNITED STATES PATENT AND TRADEMARK OFFICE

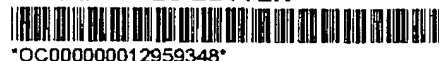
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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,331	02/12/2004	Peter Robert Abitz	000242.00175

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

CONFIRMATION NO. 1156

FORMALITIES LETTER



OC000000012959348

Date Mailed: 06/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWC MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$612 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1512** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

10/06/2004 AMONDAF1 00000023 10776331

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1202	612.00 OP

- Total additional claim fee(s) for this application is \$612

- \$612 for 34 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE